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Patent  
261/246

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

LAZARESCU et al.

Serial No.: 09/847,642

Filed: May 1, 2001

For: SYSTEM AND METHOD FOR  
PERFORMING SOFTWARE  
PERFORMANCE ESTIMATIONS

)  
) **Group Art Unit:** Not Yet Assigned

)  
) **Examiner:** Not Yet Assigned

AMENDMENT TRANSMITTAL

Box Amendments  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment for the above-identified application.

CERTIFICATE OF MAILING  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EL 476731536US  
Express Mail Label No.

August 30, 2001  
Date of Deposit

Tillie Mead  
Name of Person Mailing Paper

*Tillie Mead*  
Signature of Person Mailing Paper

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
1 month	<input type="checkbox"/> \$55.00	<input type="checkbox"/> \$110.00
2 months	<input type="checkbox"/> \$195.00	<input type="checkbox"/> \$390.00
3 months	<input type="checkbox"/> \$445.00	<input type="checkbox"/> \$890.00
4 months	<input type="checkbox"/> \$695.00	<input type="checkbox"/> \$1,390.00
5 months	<input type="checkbox"/> \$945.00	<input type="checkbox"/> \$1,890.00

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.
- ☐ Extension fee due with this Request \_\_\_\_\_.
- ☐ If an additional extension of time is required, please consider this a petition therefor.

#### FEES FOR CLAIMS:

- ☐ Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

Total Claims	60	-	20	=	40	x	\$18.00	\$720.00
Independent Claims	7	-	3	=	4	x	\$80.00	\$320.00
Multiple Dependent Claims	\$270	(if applicable)					<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>								\$1,040.00
								0
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.							<input type="checkbox"/>	\$0.00
<b>TOTAL FEES FOR CLAIMS SUBMITTED HEREWITH</b>								\$1,040.00
								0

- ☐ A check in the amount of \_\_\_\_\_ is enclosed to cover the above fee(s).
- ☒ Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of 1,040.00.

☒ The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **12-2475**.

Dated: 8/30/2001

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Los Angeles, California 90071-2066  
(213) 489-1600

Respectfully submitted,

LYON & LYON LLP

By: 

Ivan Posey  
Reg. No. 43,865



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Group Art Unit: Not yet assigned

Examiner: Not yet assigned

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**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Before examination, please amend the above application as follows.

**IN THE SPECIFICATION**

Please change the title of the application to "SYSTEMS AND METHODS FOR  
PERFORMING SOFTWARE PERFORMANCE ESTIMATIONS"

Please insert a new paragraph before paragraph [0001], as follows:

*AI*  
This application claims the benefit of US Provisional Patent Application No. 60/201,540  
filed May 2, 2000 entitled "SYSTEM AND METHOD FOR PERFORMING SOFTWARE  
PERFORMANCE ESTIMATION" and naming Marcello Lajolo et al. as inventors, which  
application is incorporated herein by reference, in its entirety.

**IN THE CLAIMS**

09/06/2001 SDEHBOB1 00000119 122475 09847642

01 FC:102 320.00 CH  
02 FC:103 720.00 CH

Please add the following new claims: